

ARTICLE APPEARED  
ON PAGE 2APHILADELPHIA INQUIRER  
1 November 1984

# Ex-CIA analyst's quarrel on troops fuels daylong debate in CBS trial

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NEW YORK — The CBS libel trial bogged down yesterday with a day-long argument over whether a former CIA analyst hired as a CBS consultant had waged a one-man crusade against the U.S. military command in Vietnam in 1967.

The argument dragged on between CBS attorney David Boies and Lt. Gen. Daniel O. Graham, who was in charge of estimating enemy strength for Gen. William C. Westmoreland. Graham completed his second day as a witness for Westmoreland in the trial of his \$120 million libel suit against CBS.

A The analyst in question was Samuel A. Adams, who has campaigned for 17 years to prove that Westmoreland's command had falsified estimates of enemy troop strength. His allegations formed the basis of a 1982 CBS documentary, *The Uncounted Enemy: A Vietnam Deception*, that accused Westmoreland of deceiving his military superiors about enemy strength. CBS did not mention in the broadcast that it had paid Adams \$25,000 to be its consultant.

The argument focused on statements Graham had made to CBS correspondent Mike Wallace in a 1981 interview, including a remark that Adams "has got a hang-up that verges on a mental problem." Graham said Adams was the only analyst in the U.S. intelligence community to significantly disagree with enemy-troop estimates reported by Westmoreland's command in 1967.

Boies spent most of the day yesterday trying to get Graham to admit that other, higher-ranking CIA officials also had disagreed with Westmoreland's command. But Graham, a blunt-spoken retired intelligence officer who is now a champion for conservative causes, parried many of

Boies' questions and engaged him in long-running arguments.

The exchanges came after Graham had disputed several claims made in the CBS program. Under direct questioning by a Westmoreland attorney, he repeated "No, I did not," when asked whether he had suppressed or falsified intelligence reports or had ever been ordered to do so.

Graham also denied an assertion made in the program that Westmoreland's command had suppressed estimates of greatly increased communist infiltration into South Vietnam in late 1967. The argument over Adams' role in 1967 is significant because Westmoreland's case rests in part on the contention that discrepancies in estimates of enemy strength were produced by a debate within the U.S. intelligence community over whether to include the enemy's irregular forces in official estimates.

Boies sought to discredit Graham's testimony because it supported the notion that there was no wrongdoing — merely a legitimate attempt to deal with Adams' long, loud complaints.

Graham told Boies that Adams was "the source of all this uproar" over inclusion of the irregulars. He said no one else in the CIA had supported Adams' views, adding, "The only person taking Sam Adams' position was Sam Adams."

Graham also said that Adams had pressured Westmoreland's command to raise official estimates of enemy strength, including irregulars, to 600,000 — double the official 298,000 figure carried by the command and reported to the media.

Graham defended the exclusion of the irregulars, saying the sole function of many of them was to "collect taxes" and to "deliver some horrible speech about Lenin and Marx."

Asked by Boies whether they also "shot unfriendly people," Graham responded, "Probably."

Boies asked Graham about a report he had issued to his superiors in April 1968, in which he referred to a "CIA analysis" of enemy strength that differed with the analysis of Westmoreland's command.

"You did not say 'Sam Adams' analysis,' did you?" Boies asked Graham.

"No, I did not," Graham replied.

Nor, Boies asked, did Graham write that the analysis had been prepared by "crazy" Sam Adams with "the mental problem."

"No, I did not," Graham replied.

Graham explained that his reference was only to Adams' analysis, but that he had used an "unfortunate shorthand" reference — the term *CIA*.

Pressed by Boies for his reasoning, Graham finally exploded: "I did not foresee this court case," adding moments later, "I told you, I was not [attempting] to write a legal brief."

Graham told Boies that the CIA had no unified position on enemy estimates during an August 1967 conference held in Saigon with intelligence officers from Westmoreland's command. He implied that only Adams had significant differences with the command.

But, after long bouts of wrangling, Graham conceded that at least one CIA official higher in rank than Adams also had disagreed.

"It wouldn't have been much of a conference just based on Sam Adams versus [Westmoreland's] command," Graham said. "We would've rolled right over him."